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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/756,120

01/09/2001

Tetsuro Motoyama

198775US-2

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OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
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ALEXANDRIA, VA 22314

EXAMINER

CHOUDHURY, AZIZUL Q

ART UNIT

PAPER NUMBER

2145

NOTIFICATION DATE

DELIVERY MODE

06/20/2007

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com  
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**Office Action Summary**

Application No.

09/756,120

Applicant(s)

MOTOYAMA ET AL.

Examiner

Azizul Choudhury

Art Unit

2145

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12, 14-19, 21-28, 30 and 32-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12, 14-19, 21-28, 30 and 32-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received:
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 12/7/06 and 1/10/07.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

***Detailed Action***

This office action is in response to the correspondence received on March 19, 2007.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-12, 14-19, 21-28, 30 and 32-35 are rejected under 35 U.S.C. 102(e) as being anticipated by Fletcher et al (US Patent No: US006108782A), hereafter referred to as Fletcher.

1. With regards to claims 1, 16, 25 and 34, Fletcher teaches a computer-implemented remote device monitoring system, comprising: a local monitoring computer (*equivalent to the dRMON agents (hardware ESs with dRMON agents); column 6, lines 12-15, Fletcher*) configured to collect information from a device (*equivalent to ESs without dRMON agents*) connected to a first network using an SNMP protocol (*column 9, lines 39-40, Fletcher*), and to send the information to a remote monitoring computer (*equivalent to dRMON collector*) connected to a second network via a wide area network using a protocol (*see Figure 1, Fletcher*); and the remote

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monitoring computer configured to receive the information using the protocol and store the information in association with an IP address of the device in a digital repository connected to the second network (*column 14, line 42 and claim 12, Fletcher*), wherein the local monitoring computer is configured to automatically request the information from the device over the first network, without receiving any instructions from the remote monitoring computer requesting that the information be collected from the device (*column 9, lines 65-66, Fletcher*); and wherein after initialization of the local monitoring computer, the local monitoring computer is configured to automatically send the information to the remote monitoring computer, without receiving any instructions from the remote monitoring computer requesting that the collected information be sent (*column 9, lines 65-66, Fletcher*).

2. With regards to claims 2, 17 and 26, Fletcher teaches a system wherein the information comprises at least one of status information corresponding to the device and configuration information corresponding to the device (*column 7, lines 45-55, Fletcher*).

3. With regards to claims 3, 18 and 27, Fletcher teaches a system wherein the device comprises a printer (*column 1, line 66 – column 2, line 3, Fletcher*).

4. With regards to claim 4, Fletcher teaches a system wherein the status information comprises at least one of a low paper indicator, a no paper indicator, a low

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toner indicator, a no toner indicator, door open indicator, a jammed indicator, an offline indicator, and a service requested indicator (*column 7, lines 45-55, Fletcher*).

5. With regards to claim 5, Fletcher teaches a system wherein the configuration information comprises at least one of a manufacturer of the device, a model of the device, a serial number of the device, a media access control address, an Internet protocol address, a company name, a street address, a city, a state, a postal code, a physical location of the device, a contact person for the device, a phone number for the contact person, and an e-mail address for the contact person (*column 7, lines 45-55 and column 14, line 32-33, Fletcher*).

6. With regards to claims 6, 19 and 28, Fletcher teaches a system wherein at least a portion of the wide area network comprises the Internet (*column 18, lines 13-14, Fletcher*).

7. With regards to claims 7, 21, 30 and 35, Fletcher teaches a system wherein the protocol comprises at least one of a simple mail transfer protocol and an Internet mail access protocol (*column 10, line 46 – column 11, line 33, Fletcher*).

8. With regards to claim 8, Fletcher teaches a system wherein at least a portion of at least one of the first network and the second network comprises an intranet (*column 1, line 54 – column 2, line 10, Fletcher*).

9. With regards to claims 9 and 22, Fletcher teaches a system wherein the digital repository comprises a database (*column 18, line 48, Fletcher*).

10. With regards to claims 10, 23 and 32, Fletcher teaches a system wherein the local monitoring computer is further configured to store the collected information in a first digital repository connected to the first network, and to retrieve the information from the first digital repository (*column 20, lines 32-38, Fletcher*).

11. With regards to claims 11, 24 and 33, Fletcher teaches a system wherein the digital repository comprises a database (*column 18, line 48, Fletcher*).

12. With regards to claim 12, Fletcher teaches a system wherein the local monitoring computer comprises a computer readable medium encoded with processor readable instructions comprises at least one of a dynamic link library, a static link library, a script, a JAVA class, a C++ class, and a C library routine (*column 7, lines 51-53, Fletcher*).

13. With regards to claim 14, Fletcher teaches a system wherein the remote monitoring computer is further configured to store the information in the digital repository through an open database connectivity interface (*column 20, lines 32-38, Fletcher*).

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14. With regards to claim 15, Fletcher teaches a system wherein the local monitoring computer is further configured to store the information in the first digital repository through an open database connectivity interface (*column 20, lines 32-38, Fletcher*).

### ***Response to Remarks***

The amendment received on March 19, 2007 has been carefully examined but is not deemed fully persuasive. In lieu of the claim amendments, the 101-type rejection has been withdrawn. In addition, in lieu of the claim amendments, a new search has been performed and the more pertinent Fletcher art has been found and applied.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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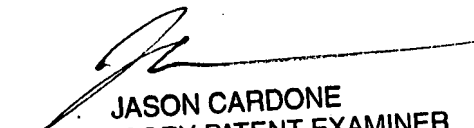
the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Azizul Choudhury whose telephone number is (571) 272-3909. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AC

  
JASON CARDONE  
SUPERVISORY PATENT EXAMINER